

1
2 IN THE UNITED STATES BANKRUPTCY COURT FOR
3 THE DISTRICT OF PUERTO RICO

4 IN THE MATTER OF:

5 REBALL RIVERA, CARMEN MAGALIS

CASE NO. 03-12044 SEK

6 Chapter 7

7 XXX-XX-4318

8 FILED & ENTERED ON 5/20/2004

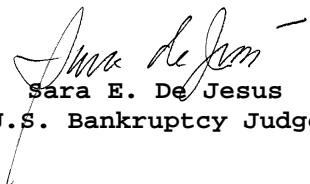
9 Debtor(s)

10 DISCHARGE OF DEBTOR

11 It appearing that the debtor is entitled to a discharge, **IT IS ORDERED:** The
12 debtor is granted a discharge under section 727 of title 11, United States Code,
13 (the Bankruptcy Code).

14 San Juan, Puerto Rico, this May 20, 2004.

16 BY THE COURT

17 
18 Sara E. De Jesus
19 U.S. Bankruptcy Judge

21 cc: all creditors

22 SEE SECOND PAGE OF THIS ORDER FOR IMPORTANT INFORMATION

1
2 **EXPLANATION OF BANKRUPTCY DISCHARGE IN A CHAPTER 7 CASE**
3

4 This court order grants a discharge to the person named as the debtor. It is
5 not a dismissal of the case and it does not determine how much money, if any, the
6 trustee will pay to creditors.
7

8 Collection of Discharged Debts Prohibited
9

10 The discharge prohibits any attempt to collect from the debtor a debt that
11 has been discharged. For example, a creditor is not permitted to contact a
12 debtor by mail, phone, or otherwise, to file or continue a lawsuit, to attach
13 wages or other property, or to take any other action to collect a discharged debt
14 from the debtor. [In a case involving community property:] [There are also
15 special rules that protect certain community property owned by the debtor's
16 spouse, even if that spouse did not file a bankruptcy case.] A creditor who
17 violates this order can be required to pay damages and attorney's fees to the
18 debtor.
19

20 However, a creditor may have the right to enforce a valid lien, such as a
21 mortgage or security interest, against the debtor's property after the
22 bankruptcy, if that lien was not avoided or eliminated in the bankruptcy case.
23 Also, a debtor may voluntarily pay any debt that has been discharged.
24

25 Debts That are Discharged
26

27 The chapter 7 discharge order eliminates a debtor's legal obligation to pay
28 a debt that is discharged. Most, but not all, types of debts are discharged if
29 the debt existed on the date the bankruptcy case was filed. (If this case was
30 begun under a different chapter of the Bankruptcy Code and converted to chapter
31 7, the discharge applies to debts owed when the bankruptcy case was converted.)
32

33 Debts that are Not Discharged
34

35 Some of the common types of debts which are not discharged in a chapter 7
36 bankruptcy case are:
37

- 38 a. Debts for most taxes;
39
- 40 b. Debts that are in the nature of alimony, maintenance or support;
41
- 42 c. Debts for most student loans;
43
- 44 d. Debts for most fines, penalties, forfeitures, or criminal
45 restitution obligations;
46
- 47 e. Debts for personal injuries or death caused by the debtor's
48 operation of a motor vehicle while intoxicated;
49
- 50 f. Some debts which were not properly listed by the debtor;
51
- 52 g. Debts that the bankruptcy court specifically has decided or will
53 decide in this bankruptcy case are not discharged;
54
- 55 h. Debts for which the debtor has given up the discharge protections by
56 signing a reaffirmation agreement in compliance with the Bankruptcy
57 Code requirements for reaffirmation of debts.
58

59 This information is only a general summary of the bankruptcy discharge.
60 There are exceptions to these general rules. Because the law is complicated,
61 you may want to consult an attorney to determine the exact effect of the
62 discharge in this case.
63